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Attorney for Defendant
SINH VAN TRAN

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:20-CR-301-RFB-BNW-2
)	
Plaintiff,)	
)	STIPULATION AND ORDER TO
v.)	CONTINUE SENTENCING
)	
SINH VAN TRAN,)	
)	
Defendant.)	(1st Request)
)	

IT IS HEREBY STIPULATED by and between VIN SINH TRAN, Defendant, by and through his counsel MICHAEL J MICELI, ESQ, and the United States of America, JACOB OPERSKALSKI, Assistant United States Attorney, that Sentencing in the above-captioned matter currently scheduled January 5, 2023 at the hour of 11:00 a.m., be vacated and continued for forty-five (45) days or to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to his client and he has no objection to this continuance.
2. Counsel has spoken to AUSA Jacob Operskalski and he has no objection to the continuance.
3. Defendant is out on pretrial release.

- 1 4. Counsel will need additional time to adequately review the Presentence
2 Investigation Report and confer with his client regarding the issues and concerns that
3 client has.
4
5 5. Denial of this request for continuance would deny the parties herein time and the
6 opportunity within which to effectively and thoroughly research and prepare for
7 sentencing in this case, taking into account the exercise of due diligence.
8
9 6. Additionally, denial of this request for continuance would result in a miscarriage of
10 justice.
11
12 7. For all the above-stated reasons, the ends of justice would best be served by a
13 continuance of the sentencing date.
14
15 8. This is the 1st request for a continuance of the sentencing date in this case.

16 DATED this 19th day of December 2022.

17 PITARO & FUMO, CHTD.

18 UNITED STATES ATTORNEY

19 /s/ Michael J. Miceli, Esq.

20 /s/Jacob Operskalski, Esq.

21 MICHAEL J. MICELI, ESQ.

22 JACOB OPERSKALSKI, ESQ.

23 601 LAS VEGAS BOULEVARD, SOUTH

24 ASSISTANT UNITED STATES ATTORNEYS

25 LAS VEGAS, NEVADA 89101

26 501 LAS VEGAS BOULEVARD SOUTH. #1100

27 ATTORNEY FOR DEFENDANT

28 LAS VEGAS, NEVADA 89101

29 SINH VAN TRAN

1 UNITED STATES OF AMERICA,

2:20-CR-301-RFB-BNW-2

2
3 Plaintiff,

4 v.

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

5 SINH VAN TRAN,

6 Defendant.

(1st Request)

7
8 FINDINGS OF FACT

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court finds:

11 This Stipulation is entered into for the following reasons:

- 12 1. Counsel for defendant has spoken to his client and he has no objection to this
13 continuance.
- 14 2. Counsel has spoken to AUSA Jacob Operskalski and he has no objection to the
15 continuance.
- 16 3. Defendant is out on pretrial release.
- 17 4. Counsel will need additional time to adequately review the Presentence Investigation
18 Report and confer with his client regarding the issues and concerns that client has.
- 19 5. Denial of this request for continuance would deny the parties herein time and the
20 opportunity within which to effectively and thoroughly research and prepare for
21 sentencing in this case, taking into account the exercise of due diligence.
- 22 6. Additionally, denial of this request for continuance would result in a miscarriage of
23 justice.
- 24 7. For all the above-stated reasons, the ends of justice would best be served by a
25 continuance of the sentencing date.
- 26 8. This is the 1st request for a continuance of the sentencing date in this case.

CONCLUSIONS OF LAW

The end of justice served by granting said continuance outweigh the best interest of the public and defendants in a speedy trial since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing taking into account the exercise of due diligence.

ORDER

IT IS ORDERED that Sentencing currently scheduled for January 5, 2023 at the hour of 11:00 a.m. be vacated and continued to this 23rd day of February, 2023, at the hour of 9:30 a.m. in Courtroom 7C.

DATED this 20th of December, 2022.



RICHARD F. BOULWARE, II
United States District Judge